

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE WESTERN DISTRICT OF WASHINGTON
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

3.95 ACRES OF LAND, MORE OR LESS
SITUATE IN THE COUNTY OF KING,
STATE OF WASHINGTON, AND KING
COUNTY WASHINGTON, A QUASI-
MUNICIPAL CORPORATION, AND ONE
OF THE POLITICAL SUBDIVISIONS OF
THE STATE OF WASHINGTON, ET AL.,

Defendants

DECLARATION OF TAKING

NO. 918 CIVIL

Filed April 25, 1944
Tracts 1, 2-E, 3-E

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, HENRY L. STIMSON, Secretary of War of the United
States, do hereby declare that:

1. (a) The lands hereinafter described are taken under and in accordance with the Act of Congress approved February 26, 1931, (46 Stat. 1421, 40 U.S.C. sec. 258a), and acts supplementary thereto and amendatory thereof, and under the further authority of the Act of Congress approved August 18, 1890, (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917, (40 Stat. 241), April 11, 1918, (40 Stat. 518; 50 U.S.C. sec. 171) and March 27, 1942, (Public Law 507 - 77th Congress), which Acts authorize the acquisition of land for military or other war purposes, and the Act of Congress approved, June 14, 1943, (Public Law 70 - 78th Congress), which Act appropriated funds for such purposes.

(b) The public uses for which said lands are taken are as follows: The said lands are necessary adequately to provide for a warehouse and cold storage plant and other military purposes incident thereto. The said lands have been selected by me for acquisition by the United States for use in connection with the establishment of the Quartermaster Market Center Cold Storage Plant, Seattle, Washington and for such other uses as may be authorized by Congress or by Executive Order, and are required for immediate use.

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2. A general description of the lands being taken is set forth in Schedule "A" attached hereto and made a part hereof and is a description of the same lands described in the petition in the above-entitled cause.

3. The estates taken for public uses in the lands taken are as follows:

a. In Parcel A: the full fee simple title thereto, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines.

b. In Parcel B: A perpetual easement to locate, construct, operate and maintain an access roadway, transmission and pipe lines and/or other facilities for public utilities in, on, over, across and under said land,

c. In Parcel C: A perpetual easement to locate, construct, operate and maintain an access roadway in, over, across and upon said land.

4. A plan showing the lands taken is annexed hereto as Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said land, with all buildings and improvements thereon and all appurtenances thereto, and including any and all interests hereby taken in said land, is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the Registry of said Court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said land will probably be within any limits prescribed by law as the price to be paid therefor.

IN WITNESS WHEREOF, the Petitioner, by its Secretary of War, thereunto authorized, has caused this declaration to be signed in its name by said HENRY L. STIMSON, Secretary of War, this the 8th day of April, A. D. 1944, in the City of Washington, District of Columbia.

A true copy:
Percy L. Blackwell
Percy L. Blackwell
Captain, C. E.

HENRY L. STIMSON

Secretary of War of the
United States.

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking and of this condemnation aggregates 3.95 acres, more or less, situate and being in the County of King, State of Washington. A description of the lands taken, together with the name of the purported owners thereof and a statement of the sum estimated to be just compensation therefor is as follows:

TRACT NO. 1

That certain piece or parcel of land situate in the County of King, State of Washington, and more particularly described as follows: to-wit:

Tract #1

~~Parcel A:~~ Beginning at the northeast corner of Block three hundred forty-nine (349), Seattle Tide Lands; thence south along the east boundary of said block 349, a distance of 250 feet; thence west parallel to and 250 feet south of the north line of said block 349, a distance of 252.5 feet to the true point of beginning; thence south 500 feet; thence west 255.5 feet; thence north 500 feet; thence east 255.5 feet to the true point of beginning; containing 2.94 acres, more or less.

Tract 2-E

~~Parcel B:~~ A strip of land 40 feet in width, ~~(over and across the Chicago, Milwaukee, St. Paul and Pacific Railway Company's Trustees' property in Government Lot one (1), Section eighteen (18), Township twenty-four (24) North, Range four (4) East, W.M., in King County, Washington, and more particularly described as follows, to-wit:~~

Beginning at the northeast corner of block 349, Seattle Tide Lands; thence south along the east boundary line of said block 349, a distance of 210 feet to the true point of beginning; thence west parallel to and 210 feet south of the north line of said block 349, a distance of 508 feet; thence south parallel to and 508 feet west of the east boundary line of said block 349, a distance of 40 feet; thence east parallel to and 250 feet south of the north boundary line of said block 349, a distance of 508 feet to the east boundary line of said block 349; thence north along said east boundary line of block 349, a distance of 40 feet to the true point of beginning; containing .47 of an acre, more or less.

Tract 3-E

~~Parcel C:~~ A strip of land 40 feet wide (over and across the Chicago, Milwaukee, St. Paul and Pacific Railway Company's Trustees' property) in Government Lot one (1), Section eighteen (18), Township twenty-four (24) North, Range four (4) East, W.M., at Seattle, King County, Washington, having 20 feet of said width on each side of the following described center line:

Point Beginning at a point in the west line of First Avenue South which is also the east line of said Trustees' property and is 1090 feet south of the south line of Spokane Street; thence west 212.5 feet; thence northwesterly, along a curve to the right of 60 foot radius, through a central angle of 90°, 94.2 feet; thence north 280 feet; said parcel containing .54 of an acre, more or less.

Total area of said tract: 3.95 acres, more or less.